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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

C. JAY SMITH (a/k/a CARY KEETON SMITH),

Case No. 4:20-cv-04335-HSG

Plaintiff,

V.

RALPH DIAZ, et al.,

Defendants.

**JOINT STIPULATION AND ORDER TO
EXTEND DEADLINES FOR TIME TO
FILE AMENDED COMPLAINT AND
TIME FOR RESPONSE**

Judge: Hon. Haywood S. Gilliam, Jr.
Trial Date: Not Set
Action Filed: June 29, 2020

Under Local Rule 6-2, Plaintiff C. Jay Smith (“Plaintiff”) and Defendants Diaz, Davis, Duke, Feston, Haub, Bloise, Franco, and Taylor (collectively “Defendants”), by and through their counsel, hereby submit this Joint Stipulation and Proposed Order to extend Plaintiff’s deadline to file an Amended Complaint and Defendants’ Deadline to file a response in the above captioned case.

WHEREAS, on March 18, 2022, the Court ordered Plaintiff to file an amended complaint within 21 days, or by April 8, 2022, to cure deficiencies with regard to Plaintiff's Eighth Amendment Claim, (ECF No.38);

1 WHEREAS, on March 18, 2022, the Court extended the stay for response by Defendants Duke,
 2 Franco, and Taylor by 21 days, (ECF No.38);

3 WHEREAS, Plaintiff is incarcerated at California Medical Facility in Vacaville, California;

4 WHEREAS, Plaintiff's counsel requires a meeting with Plaintiff prior to the submission of her
 5 First Amended Complaint and is not able to schedule this meeting before the current deadline of April 8,
 6 2022;

7 WHEREAS, Plaintiff's counsel requires additional time to collect the information requested by
 8 the Court, including potentially talking with witnesses who are incarcerated;

9 WHEREAS, Plaintiff set forth all previous time modifications for this case, reasons for the
 10 requested enlargement, and the effect of the time modification, in the accompanying Declaration of Felicia
 11 M. Medina;

12 WHEREAS, on March 23, 2022, Defendants' counsel agreed to stipulate to extending Plaintiff's
 13 deadline by an additional 21 days to file her First Amended Complaint, extend the deadline for Defendants
 14 to file a responsive pleading to Plaintiff's First Amended Complaint by an additional 21 days, and the stay
 15 for response by Defendants Duke, Franco, and Taylor by 21-days to April 29, 2022;

16 THEREFORE, IT IS HEREBY STIPULATED, by and between the Parties through their
 17 respective counsel of record and subject to Court approval, that the dates previously set by this Court be
 18 extended as follows:

| Event | Current Deadline | Proposed Deadline |
|---|------------------|--------------------------|
| Plaintiff's Filing of an Amended Complaint | April 8, 2022 | April 29, 2022 |
| Stay of Responsive Pleading Deadline for Defendants Duke, Franco, and Taylor | April 8, 2022 | April 29, 2022 |
| Defendants' Deadline to Respond to First Amended Complaint after Screening | N/A | An additional 21 days |

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2 Respectfully Submitted,
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5 Dated: March 25, 2022
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/s/ Felicia Medina
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Felicia Medina
MEDINA ORTHWEIN LLP
Attorney for Plaintiff

Dated: March 25, 2022
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/s/ Janet Chen
Janet N. Chen
Deputy Attorney General
Attorney for Defendants

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 28, 2022
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Hon. Haywood S. Gilliam, Jr.
United States District Judge